

UNITED STATES BANKRUPTCY COURT
NORTHERN DISTRICT OF IOWA

In re:

JOHN E. KINNEY
DONNA S. KINNEY, Debtor

CITY NATIONAL BANK OF
CEDAR RAPIDS, Plaintiff

v.

JOHN E. KINNEY
DONNA S. KINNEY, Defendant

CHAPTER 7
Case No.

L90-01463C

FILED
U.S. BANKRUPTCY COURT
NORTHERN DISTRICT OF IOWA

DEC 31 1991

BARBARA A. EVERLY, CLERK

Adversary Proceeding No.
L90-0233C

JUDGMENT

The issues of this proceeding having been duly considered by the Honorable MICHAEL J. MELLOY, United States Bankruptcy Judge, and a decision having been reached without trial or hearing,

IT IS ORDERED AND ADJUDGED: Judgment is entered in favor of City National Bank and against John E. Kinney and Donna S. Kinney in the sum of \$7,500 with interest and payment terms pursuant to the Stipulation.



[Seal of the U.S. Bankruptcy Court]
Date of Issuance: December 31, 1991
mg

BARBARA A. EVERLY
Clerk of Bankruptcy Court

By: *Michael A. Golay*
Deputy Clerk

RECORDED: Vol. III
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DEC 31 1991

UNITED STATES BANKRUPTCY COURT
FOR THE NORTHERN DISTRICT OF IOWA


BARBARA A. EVERLY, CLERK

IN RE:)	Chapter 7 Bankruptcy
)	No. L90-01463C
JOHN E. KINNEY and)	
DONNA S. KINNEY,)	
)	
Debtors.)	
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CITY NATIONAL BANK OF CEDAR)	Adversary No. L90-0233C
RAPIDS,)	
)	
Plaintiff,)	
)	
v.)	ORDER APPROVING
)	STIPULATION OF SETTLEMENT
)	AND CONSENT TO JUDGMENT
JOHN E. KINNEY and)	
DONNA S. KINNEY,)	
)	
Defendant.)	

Pursuant to agreement of the parties in this matter, the Court approves the Stipulation of Settlement and Consent to Judgment filed August 26, 1991. Further, the Court orders John E. Kinney and Donna S. Kinney pay \$7,500 to City National Bank pursuant to the above stipulation.

In accordance, said settlement is not discharged.

ORDERED this 31st day of December, 1991.



Michael J. Mello
Chief Judge, United States
Bankruptcy Court, Northern
District of Iowa

Order Prepared By:
Hugo C. Burdt
crg/hcb.kinney

Copy (W/judgment)
to:Hugo Burdt, Atty for Plaintiff;
Richard Boresi, Atty for Defendants
U.S. Trustee this December 31, 1991 mg

AUG 28 1991

AUG 28 1991

BARBARA A. EVERLY, CLERK

Chapter 7
Case No. L-90-01463-C

Adversary No. L-90-0233C

**STIPULATION OF SETTLEMENT AND
CONSENT TO JUDGMENT**

VS.

Defendants.

3. John E. Kinney and Donna S. Kinney, jointly and severally, do hereby consent to the entry of a judgment herein in favor of plaintiff for the sum of \$7,500.00 and authorizes judgment to be entered, therefore, against them with 15% interest thereon from this date.

4. Defendants will pay plaintiff a series of installments beginning with an initial down-payment of \$150.00 delivered to plaintiff on or before the 26 day of July, 1991, with the remaining \$7,350.00 payable in monthly installments of \$150.00 for the 11 succeeding months after the 26 day of July, 1991, \$200.00 per month for the next 12 succeeding months, and \$250.00 per month for the succeeding next months' payments as required until all principal and interest is paid in full. Said installments shall be delivered to plaintiff on or before the 15th day of each month beginning August 15, 1991, and each and every month thereafter.

5. Defendants agree that in the event the July 26, 1991 down-payment is not made on or before that date, this judgment may be executed upon in its full amount including attorneys fees and costs which amount will then be justly due and owing by said defendants to said plaintiff. In the event the aforesaid monthly installments are not made on or before the 25th of the month as herein provided for, this judgment may be executed on and the then amount owing, plus attorneys fees and costs, which amount will then be justly due and owing by said defendants to said plaintiff.

6. In consideration of the receipt by City National Bank of Cedar Rapids of said judgment, plaintiff shall dismiss with prejudice its complaint herein.

Dated this 19 day of July, 1991.

CITY NATIONAL BANK OF CEDAR
RAPIDS

By: James H. Struve

its CHAIRMAN/CEO

John E. Kinney

John E. Kinney, Defendant

Donna S. Kinney

Donna S. Kinney, Defendant

STATE OF IOWA)
) ss.
COUNTY OF LINN)

I, James H. Struve, being first duly sworn on oath
depose and state that I am Chairman/CEO of City
National Bank of Cedar Rapids, plaintiff in the above-captioned
matter; that I have read the foregoing Stipulation of Settlement
and Consent to Judgment, know the contents thereof and the
statements therein contained are true and correct as I verily
believe.

James H. Struve

Subscribed and sworn to before me by James H. Struve
this 29th day of July, 1991.

Judy Tucker
Notary Public in and for the
State of Iowa



STATE OF IOWA)
) ss.
COUNTY OF LINN)

We, John E. Kinney and Donna S. Kinney, being first duly sworn on oath depose and state that we are the defendants in the above-captioned matter; that we have read the foregoing Stipulation of Settlement and Consent to Judgment, know the contents thereof and the statements therein contained are true and correct as we verily believe.

John E. Kinney

John E. Kinney

Donna S. Kinney
Donna S. Kinney

Subscribed and sworn to before me by John E. Kinney and Donna S. Kinney this 19th day of July, 1991.



Richard L. Boresi
Notary Public in and for the
State of Iowa

ACCEPTED AND APPROVED
this 19th of July, 1991.

By: *Hugo C. Burdt*
HUGO C. BURDT
Attorney for Plaintiff
Lynch, Dallas, Smith & Harman
526 Second Avenue S.E.
Cedar Rapids, IA 52406
(319) 365-9101

ACCEPTED AND APPROVED
this 19th of July, 1991.

By: *Richard L. Boresi*
RICHARD L. BORESI
Attorney for Defendants
King, Smith & Boresi
320 Guaranty Bank Building
Cedar Rapids, IA 52401
(319) 363-0294

IN THE IOWA DISTRICT COURT IN AND FOR LINN COUNTY

Firstar Bank, N.A. f/k/a
City National Bank of Cedar Rapids
Plaintiff,

)
)
)

Chapter 7 Case No. L90-01463C
Adversary Proceeding No. L90-0233C

vs.

)

RELEASE AND SATISFACTION OF
JUDGMENT

John E. Kinney
Donna S. Kinney, Defendant

)
)

NOV 20 2001

SEAN F. MCARDY
CLERK

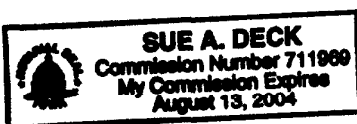
COMES NOW, the undersigned and hereby releases any and all liens which the undersigned may have by virtue of a judgment entered against the Defendant, John E. Kinney and Donna S. Kinney, in the above-entitled cause. The undersigned hereby authorizes the Clerk of U.S. Bankruptcy Court, Northern District of Iowa to enter this Release and Satisfaction of Judgment.

Firstar Bank, N.A. f/k/a City National Bank of Cedar Rapids

By: Carolyn M. Striegel
Carolyn M. Striegel
Assistant Vice President

STATE OF IOWA)
)
COUNTY OF LINN) ss.

On this 20th day of November, 2001, before me, the undersigned, a Notary Public in and for said County and State, personally appeared Carolyn M. Striegel, Assistant Vice President for Firstar Bank, N.A. to me known to be the identical person named in and who executed the foregoing instrument and acknowledged that she executed the same as her voluntary act and deed.



Sue A. Deck
Notary Public in and for the State of Iowa

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